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HEARST WITH A GRIEVANCE.

REPUBLICANS BEGIN TO THINK THAT'S THE WAY TO LEAVE IT.

Don't See Why Odell Should Be Allowed to Insert the Republican Party Into the Sermon—The Courts Are Open—No Plunge to Albany This Week.

Representative William R. Hearst and his friends, did not journey to Albany yesterday, as previously announced, to be present at the hearing of the Senate Judiciary Committee on the Baines bill providing for a recount of the votes in the Mayoralty election last fall in New York City. Mr. Hearst's spokesman said that they would postpone their visit to Tuesday next, when the bill is to be considered by the Judiciary Committee of the Assembly.

On this subject a Democratic newspaper said last evening:

Starting, if not sensational, developments, are expected in the Hearst situation within a few days. Men close to Hearst say that he is aroused to a concerted movement, supported by money kings in both the big political parties, to oblige him from the gubernatorial situation.

The delayed trip to Albany is said to be due to this plan to remove him from political prominence. That he will resist it, his friends say, will be shown soon. His deal with Odell during the last Mayoralty campaign alarmed Republicans, for the members of the Legislature elected by the Republican boss and Hearst have been sowing seeds in the path of the Roosevelt-Huguenot reformers.

Should the opposition to Hearst prove too strong he may accept the offer to get out of the gubernatorial race and accept the recount, reserving his strength for the next Presidential election. He is inclined to listen to the advice of James R. Keane, the Wall Street magnate, who is not in accord with the money powers now fighting Hearst.

To which a Republican evening newspaper added, concerning the Baines bill:

There is a growing feeling that this measure should be defeated, and it probably will be. The Hearst contingent has been shouting for it, and at the outset a number of Republicans were lured into the belief that continued agitation of Hearst's claims would be advantageous to Republican interests. A different opinion now prevails, and the Hearst followers will have a difficult time to force the measure through.

Republicans of importance have frequently said that Chairman Odell of the Republican State Committee handed the bill for a recount to Senator Baines, and that the deal between Mr. Odell and Mr. Hearst, which was a feature of the recent campaign, is to be carried out in other directions.

Nothing, it was remarked, has been heard recently of the statement made in December by Mr. Hearst and his counsel, Mr. Shearn, that they would resort to their last remedy in law, would warrant proceedings, to test McCellan's title to the Mayoralty. It is known that Chairman Odell promised Mr. Hearst's friends that if Assemblyman Edwin A. Morrill, Jr., was elected Speaker of the Assembly an Assembly committee should be appointed forthwith to visit New York City and hunt up evidence on which to base quo warranto proceedings. With Morrill's defeat Odell, it was added, had no other recourse in his effort to sustain his relations with Hearst than to hand the recount bill to Baines, who, with Senator George R. Malby of St. Lawrence represents Mr. Odell in the upper house at Albany.

Republicans who saw that their constituents from upon the alliance between Mr. Odell and Mr. Hearst, added yesterday that it was considered all the more reprehensible for the reason that Mr. Odell is

chairman of the Republican State committee and is therefore the official spokesman of a party whose professed principles are very different from the professed principles of Mr. Hearst. These Republicans went on to say that they were not at all opposed to Mr. Hearst's getting a recount of New York City's vote, but that he should proceed in orderly fashion and according to law, and that Mr. Odell should not involve the Republican organization of the State in a legal dispute which clearly and entirely belonged to the Democratic organization of New York City and to Mr. Hearst and his followers. They said that after the overwhelming victory for Mayor McCellan in the Court of Appeals and the granting of the certificate of election to McCellan by the recognized authorities Odell should have kept his hands off for the reason that Mr. Hearst had his remedy in existing law.

A New York county Republican leader said: "Odell, naturally, wants to help Hearst all he can, because if Hearst could be seated in the Mayor's chair he would make Odell's friend, Tom Hamilton, Police Commissioner. This was last fall's programme. McCellan was not entitled to his seat, and Odell and the Baines bill are now hesitating. They say that Odell is too stiff a political gambler to follow. They argue it this way: Suppose the Baines bill becomes a law and after a recount McCellan is shown to have been elected beyond all doubt, what would McCellan and Hearst stand politically? Our answer is that McCellan would be the foremost Democrat of the State, if not in the country; that conservative Democrats and Republicans who don't like Odell would sweep McCellan into the Governor's chair at Albany next fall. From a political standpoint we ought to let Hearst continue to have his grievance against the regular Democratic organizations in New York City or get the Mayor's chair through the courts if he is entitled to it. Quo warranto proceedings are, of course, expensive to the litigant bringing them, but that should be no concern of ours."

The Democratic argument in opposition to the Baines bill was expressed by Mayor McCellan's friends, and was as follows: If McCellan is not entitled to his seat, there should be plenty of evidence forth coming to sustain the wholesale charges of fraud and conspiracy made by Mr. Hearst and his friends. If this alleged fraud and corruption was so flagrant no Baines bill is necessary to uncover it. The evidence to sustain the charges could be quickly and easily procured and presented to Attorney General Mayer, and he would without hesitation grant the application of Mr. Hearst to institute quo warranto proceedings to oust Mayor McCellan. There were during the count on election night from fifteen to twenty-five persons present. Republicans, Democrats, Hearst men, Jerome men and others, counters and watchers, at every polling station in New York City, and a conspiracy to defraud Mr. Hearst in the count would involve so many that it would be impossible to discover it.

QUEEREST HOMICIDE CHARGE.

Poor Mother, Who May Die, Cries for Baby She Is Accused of Killing.

With a charge of homicide entered against her Mrs. Annie Epstein of 25 Hester street is in the prison ward in Bellevue Hospital, while the body of her baby, a girl less than two days old, is in the morgue.

Mrs. Epstein and the child were sent to the hospital early yesterday morning by the police of the Delancey street station house. It was discovered that the child's skull was fractured and at first Mrs. Epstein was charged with assault. Yesterday the child died.

It was learned by the police that Mrs. Epstein, whose husband is a poor tailor compelled to work at night, gave birth to the child Monday night while her husband was at his shop. Her screams aroused the tenement house in which she lived, but no one went to her aid until the police arrived and forced the door.

Mrs. Epstein is almost insane and cries continually for her child. Her first born, but the hospital attendants have not told her that the baby is dead. It isn't certain that Mrs. Epstein will ever leave the hospital alive, as her condition is serious.

DINNER TO GEORGE H. DANIELS.

MEN FROM ALL OVER THE COUNTRY MEET TO PRAISE HIM.

Flag Drums to Show a Portrait of the Guest When the Toast to Him Is Drunk—Frank Lawrence Hits at "Town Topics"—Admiral Coghlan a Speaker.

About 500 men, from places in the United States as far distant as Florida, California and Minnesota, dined in the grand ballroom of the Waldorf-Astoria last night in honor of George H. Daniels, who used to be general passenger agent of the New York Central and who has just become advertising manager of the Vanderbilt lines. Railroad men, advertising men, personal friends, even to clergymen and university presidents, made up the party. It wasn't a dinner of any organization, just the friends of Mr. Daniels getting together to tell what they thought of him.

And there was only one toast—to Daniels himself. With the cigars Frank Presbrey raised his glass and said:

"We pay homage to-night not to the recent general passenger agent of the New York Central Railroad, nor to the newly appointed advertising manager of the great Vanderbilt line, nor even to the publisher of the *Four Track News*, but to George H. Daniels the man, your friend and my friend. I will ask you to fill your glasses and to drink standing to him—his health, happiness, prosperity and long life—George H. Daniels!"

With that the American flag draped behind the speakers' table unfolded to show a portrait of Daniels himself, the house rang "For He's a Jolly Good Fellow," and William H. McElroy took charge of a session which was mainly good natured, joking and praise enlivened by humor. Mr. McElroy started it—unconsciously—when, in reading telegrams of regret, he said:

"And here's one from the business manager of the *San Francisco Chronicle*."

"There are many here to-night who have a sense of melancholy at the sight of George Daniels because he no longer issues free passes. To such, this is indeed a feast of the passover. May every train freighted with prosperity for him have the right of way and be on time, and may any train which has a load of care for him be sidetracked, derailed and ditched before it gets out of the yard."

Mr. Daniels, his chin whiskers trembling with emotion, said that advertising now underlies every business except burglary.

"Railroading is the most honest business, and I can prove it," he added. "Go to the nearest drug store and ask for something you know is good. Nine chances out of ten they'll say: 'We're out of that just at present, but here's something just as good.'"

"But go to a railroad office and ask for a ticket for Springfield, Mass., and whoever heard of a ticket seller trying to substitute one to Cleveland, Ohio?"

"Who'll introduce the introducer?" said the toastmaster in putting forward President Frank Lawrence of the Lotus Club. "You know of the young man who always stayed with her until 120 A. M. One night he said, 'I'm troubled with insomnia, and I can't sleep. Ever try talking to yourself after you went to bed?'"

Mr. Lawrence mentioned Mr. Daniels as an "exemplar of billy goat whiskers," adding:

"He is on the celebrated list of immunes in New York society. (Mr. Lawrence was referring to *Town Topics*.) I met a man yesterday who was on that list. He was said. He'd lived a quiet and godly life, never knowing that he might do as he darn pleased and not be published. If he

had known he would have made the town hum."

Admiral Coghlan dropped this:

"They told me that if I'd speak here they'd send me home in an auto that would take my breath away. I hope that it will take away my breath. The railroad man and I are in the same business—killing people."

S. H. Hardwick extended his best wishes and the decks were cleared for the Rev. Merle St. Croix Wright, a Bostonian—"When he's in Rome he does as the Romans do," said the toastmaster. Mr. Wright said:

"I have an open mind. I'm like Miss Lilywhite."

Mr. Brown telephoned to her: "Am dat you, Miss Lilywhite?"

"Ah reckon Ah could."

"Do yo' love me?"

"Ah reckon Ah do."

"Do yo' marry me?"

"Ah reckon Ah will—whooam dat callin'?"

The Hon. Lafayette Young of Iowa, who nominated Roosevelt in 1900, and A. V. V. Raymond, J. L. D., wound up the evening. Among those present were: Lyman Abbott, J. H. Allore, Samuel J. Bloomingdale, Edward Bok, Edward Payson Ball, Frank S. Doubleday, Hon. S. P. Fraser, Robert Frothingham, Herbert F. Gunnison, O. J. Gude, Charles P. Goddard, George H. Hurlbut, Col. George J. J. Mack, Medley McCormick, St. Clair McKelway, Bradford Merrill, Herman K. Miller, George P. Rowell, J. C. Stubbs, Admiral Joseph B. Coghlan, Melville E. Stone and E. V. Rossiter.

DELANY PRAISES NEW YORK.

Tells Marylanders, Including the Somerset Colonels, That It's the Best.

Marylanders—125 of them—gathered last night at the Hotel Astor for the eighth annual dinner of the Maryland Society of New York. The guest table carried Maryland State flags, while smaller flags bearing the arms of Lord Baltimore decorated the other tables. The president of the society, the Rev. J. Nevett Steele, assistant rector of Trinity Church, was toastmaster. The small tables were for the several counties. Mr. Steele said that he had travelled over each county, but that wherever he went he was greeted with the statement: "I'm not from this county; I am only visiting here."

He had noted that all those at the Somerset table were clergymen, and he intimated that "Rev." in that county was something like "Col." in Kentucky.

A standing toast was drunk to the President and the Army and Navy, after which letters were read from Isidor Rayner and Grover Cleveland.

Corporation Counsel Delany said that it was in that very room, about ten days ago, that he made himself famous by commencing a play in one of the Broadway theatres. He said he didn't realize the importance of his remarks until his children brought in the Sunday papers. "If any body wishes to make me famous again," said Mr. Delany, "I hope it won't be on the billboards of the elevated or subway railroads."

"Every man who is worthy the name is welcome to New York and there is room for all. New York is the greatest city in the world because it is the best. There is no large city which in point of moral rectitude can compare with New York. In this city any man can walk the streets at any time of day or night without losing his property and any woman can go anywhere on the streets without having any attempts made against her honor if she minds her own business, but not a sober one."

Mr. Delany then spoke of New York's public institutions, especially those for the aged and for the tuberculous patients.

"Twenty-five years from now New York will have dieden tuberculosis from its boundaries," he said. "Doubtless there are prominent men in the city who are too liable to yield to temptation, but that should not blind our eyes to the loyal ones who are working for the people's good."

Ferdinand C. Latrobe, who was Mayor of Baltimore for seven terms, named over some of his more illustrious sons. He said that Maryland was the first State to build a monument to George Washington—in fact a Maryland man nominated the future father of his country for commander-in-chief of the American army. Moreover, Maryland was the only State to have a true heraldic coat of arms. Maryland's arms being those of Lord Baltimore. The Southern spirit was evident when Mr. Latrobe spoke of fair women and brave men, and the four rows to drink toasts at the least provocation.

Ralph H. Holland, the president of the North Carolina Society of New York, reported on behalf of the Southern States.

Seated at the guest table, beside those named were: Marion J. Verdery, president of the New York Southern Society; T. J. Reynolds, president of the Georgia Society; Walter D. Hawkins, president of the Delaware Society; Howard R. Bayne, governor of the Virginians; Capt. Edward Owen, commander of the Confederate Veteran Camp of New York, who commanded the First Company of the Battalion of Washington Artillery of New Orleans in the Confederate army; J. A. Hampden Robb, president of the Pennsylvania Society; Samuel M. Gardinier, president of the Missouri Society; Dr. W. M. Polk, president of the Tennessee Society; Justice Vernon M. Davis of the Supreme Court, J. E. Graybill, ex-president of the Georgia Society, and the Rev. Alban Richey, chaplain.

BERTHE CLAICHE ON TRIAL.

Slow Work Getting Jury for Tenderloin Murder Case—Sleuth Accused of Falschood.

Three jurors were obtained yesterday for the trial of Berthe Claiche, the young woman who admits that she shot Emil Morrison, a Tenderloin character, but says she was driven to kill him in self-defence by his treatment of her while she supported him with the money she earned prowling the streets. The jurors are Robert A. Kohn, an architect; Samuel Rosenblatt, a soap dealer, and Frederick S. Wilson, a life insurance superintendent.

Twenty-four takers were examined. A new panel of twenty-five was ordered for to-day. It is expected that it will take a day or two more to get a jury.

It was made plain by the questions of the woman's counsel, Abe Levy and ex-Judge Rosalkey, that the girl will be a witness and that she will be asked to tell the story of her life with Gordon and how he ill-treated her. Mr. Levy does not seem to think that there is anything in the story that Gordon was killed with a policeman's revolver and that two or three policemen were in league with her in a plot to kill Gordon and rob him. District Attorney's investigation of the case charges were preferred against Detective Edward T. Cody at Police Headquarters yesterday. They were made by Inspector McLaughlin by direction of Commissioner Bingham.

Cody is accused of making false statements while he was being examined in the District Attorney's office in connection with the case. It is alleged that Cody made certain remarks to Policeman Harry Morton, one of the policemen who arrested the girl, about the girl, but when he was asked about them in the District Attorney's office he denied having made them. Morton swore that he did, and he was supported by Policemen Martineau and Billauer, who say they were present.

Cody's trial will be held before Commissioner Mac on Friday. Counsel for the Claiche girl seems to think that Cody's trial ought to be put over until her case is disposed of.

The girl, who has a weak but not unpleasant face, sat in court yesterday with her mother. She takes the proceedings very calmly.

The Tenderloin, or certain of its inhabitants—is taking a great deal of interest in the trial. Many familiar types, men and women, were in the court room yesterday.

COMPLAINS AGAINST NUGENT.

Percy C. Vandewater Goes to the District Attorney About It.

More trouble piled up yesterday for Frederic F. Nugent, promoter of the Equitable Title Guaranty Company, the Gotham Safe Deposit Company, the Van Gorkum Bank and another bank, unnamed, which were to do business at 187 Greenwich street, but which up to date have been inactive. Percy C. Vandewater of Cedarhurst, L. I., went to the District Attorney's office yesterday looking for Nugent's scalp. He said he had given Nugent \$500 to guarantee some insurance titles. Two payments were made, one \$300 the other \$200.

Vandewater waited for some time and nothing was done. Then he made a little investigation on his own hook and found that, as The SUN told yesterday, Nugent had applied to the Commissioner of Insurance for a license to do business as a title company and had been turned down after two attempts.

Vandewater tried to get his money back and failed. After listening to Vandewater's story, Assistant District Attorney Lockwood told him that other complainants were expected to-day, when some action would be taken.



Decision Reserved in Duffey's Case.
Supreme Court Justice Fitzgerald reserved decision yesterday on an application by Arthur Duffey, the sprinter, for an injunction to restrain the Amateur Athletic Union from removing his official records from the Official Athletic Almanac.



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